

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA**

I.A. No. \_\_\_\_ of 2023

IN

O.A. NO. 112 OF 2023

**IN THE MATTER OF**

Ram Ekbal Rai.

.....APPLICANT

VERSUS

The State of Bihar & Ors.

....

RESPONDENTS

**AND IN THE MATTER OF**

Veena Veeneer

.....APPLICANT

(Proposed Intervener)

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Date: 07.10.2023

Place: New Delhi

SYNOPSIS

That the Civil Appeal was filed by the Applicant under Section 22 of Green Tribunal Act, 2010 before the Hon'ble Supreme Court against the impugned judgment and final order dated 13.10.2022 passed by this Hon'ble National Green Tribunal, Principal Bench at New Delhi in Original Application No. 399 of 2022; whereby the State PCB is directed by Hon'ble National Green Tribunal, Principal Bench at New Delhi to take further action by following due process of law and file its Action Taken Report with requisite details. In its report the State PCB shall also mention as to whether any prosecution has been launched against the persons involved in running of the units illegally. The Action Taken Report be filed by the State PCB within two months.

Upon the consequence of the impugned order, the State Govt. and its agencies have either seized or attached the mills. The Majority of mills and were demolished by JCB, which is not only harsh but miscarriage of justice. The Hon'ble National Green Tribunal and Joint Committee constituted have not even noticed the owner of these mills neither given any opportunities to appear or represent. The act of Respondent is violation of natural justice and against the spirit of spirit of Article 19 (1) (g) of Constitution of India and also in disregard of the order of the Ld. NGT which had directed to take action by following due process of law.

The case of the Applicant, briefly, is a plywood manufacturer in the State of Bihar and having all the license and permit and operating within the law. The Applicant obtained No Objection Certificate under Section 25 and 26 of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, from the Bihar State Pollution Control Board. The Applicant is also aggrieved by the impugned order dated 13.10.2022 as the Hon'ble Green Tribunal nor the Joint Committee so constituted gave the applicant herein opportunity to represent and submit all the requisites licenses present with the applicant and arbitrarily the State agencies have seized and demolished the plant of Applicant including others 150 saw mills and plants.

The state laws for the wood industry are the Bihar Saw Mills (Regulation) Act 1990, and the Bihar Saw Mills (Regulation) (Amendment) Act 2002, which say that no person engaged in wood-based industries will be able to establish and/or operate any wood-based industry without a license under the act. In August last year, the government brought in the Bihar Wood Industries Investment Promotion Policy, 2020 with an aim to attract new investments and build a positive business ecosystem to improve existing saw mills, Veneer mills, plywood units and furniture units. Since, 1995 the state government has not issued the licensed under Bihar Saw Mills (Regulation) Act 1990, and the Bihar Saw Mills (Regulation) (Amendment) Act 2002.

The State of Bihar has a total of 2,272 saw mills, 279 Veneer mills, 149 plywood industries, which form the base of the unorganized sector. Facilities given to wood industries by the state are thus underpinned by a mixture of policy dilemma i.e. exhortations of investment boost on one hand and breeding illegal business without crackdown on the other. Section 5 of the Bihar Saw Mills (Regulation) Act, 1990, states that no person shall establish a saw mill or a saw pit except under the authority and subject to the conditions of a license granted while the Applicant is running its mill and plant with approval of State Pollution Control Board and with other required licensed. Moreover, the Bihar Government has issued a notification dated 27.02.2009, exempted 10 types of trees for forest-based industry and products.

The Applicant is using these Bamboo, Mango, Litchi trees and etc. as raw material for his plant and mill. The additional 'forest produce' were added under with Rule 3(3) of the Bihar Kasthanatha Anya Van Utpadan Abhivahan Ka Niyamawali, 1973.

That due to the impugned order having been passed in violation of the principles of *audi alteram partem*, the manufacturing unit of the Applicant along with 250 other Plywood mills, Saw mills and peeling and veneer mills have either seized/attached or demolished by the virtue of impugned order. The total 70 thousand (25 thousand women) skilled/unskilled have become jobless and 1.5 Lakh farmers are affected due to the consequent action of impugned

order. That grave injustice has been inflicted upon the applicant who is a trade's man and has suffered loss of livelihood due to arbitrary action of the Respondent and due to violation of its right under Articles 14, 19 & 21 of the Constitution of India.

The Respondent's arbitrary action has impacted the applicant and also his/her workers employment and that the Respondent ought to have considered that demolishing/sealing / seizing of the manufacturing units-cum-plants particularly in a state like Bihar, which has limited resources to livelihood and where the issue of migration of labour is highest in the country. It is pertinent to say that no rule or regulation has been framed by the State Government nor there is any enactment authorising the officers of the Forest Department to interfere with the workings of the manufacturer herein. That such an arbitrary action is contrary to Article -14 i.e. against arbitrary action and also against right to life/livelihood and to live with dignity under Article - 21 of the Constitution of India.

The order dated 24.02.2023 passed by the Hon'ble Supreme Court of India in Civil Appeal No. 1414 of 2023; wherein the Hon'ble Apex Court has stated that:

*"It is not in dispute that the appellant is not a party. In fact, this forms part of the complaint of the appellant that the order under which demolition of part of the appellant's factory has been carried out has been passed without notice being given to the appellant. We would think that the appellant should approach the NGT and place its grievances before the NGT. Accordingly, the appeal is disposed of.*

*The appellant is permitted to approach the NGT and place its grievance before the NGT.*

*We also leave it open to the appellant to approach this Court again against the order in case it becomes necessary."*

Hence, this Application for Intervention.

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA**

I.A. No. \_\_\_\_ of 2023

IN

O.A. NO. 112 OF 2023

**IN THE MATTER OF**

Ram Ekbal Rai.

.....APPLICANT

VERSUS

The State of Bihar & Ors.

....

RESPONDENTS

**AND IN THE MATTER OF**

Veena Veeneer

Through its Proprietor Virendra Prasad Kushwaha,

At & PO Morsandi, Mathiya, P.S. Motipur,

Dist. - Muzaffarpur, Bihar 843153

.....APPLICANT

(Proposed Intervener)

**APPLICATION FOR INTERVENTION ON BEHALF OF THE APPLICANT  
TO THE ORIGINAL APPLICATION NO. 112 OF 2023**

**MOST RESPECTFULLY SHOWETH:**

1. That the Applicant herein craves to intervene into the Original Application No. 112 of 2023 in compliance to the direction passed by the Hon'ble Supreme Court order dated 24.02.2023 in Civil Appeal No. 1414 of 2023; wherein, the Hon'ble Apex Court has stated that it is not in dispute that the applicant is not a party. In fact, this forms part of the complaint of the applicant that the order under which demolition of part of the applicant's factory has been carried out has been passed without notice being given to the applicant. The Hon'ble Court said further that the applicant should approach the NGT and place its grievances before

the NGT. Accordingly, the appeal is disposed of. The applicant is permitted to approach the NGT and place its grievance before the NGT. A true copy of the order dated 24.02.2023 passed by the Hon'ble Supreme Court of India in Civil Appeal No. 1414 of 2023 is annexed herewith and marked as ANNEXURE/A-1 (Pages 16 to 18).

2. That the Civil Appeal was filed by the Applicant under Section 22 of Green Tribunal Act, 2010 against the impugned judgment and final order dated 13.10.2022 passed by this Hon'ble National Green Tribunal, Principal Bench at New Delhi in Original Application No. 399 of 2023; whereby the State PCB is directed by Hon'ble National Green Tribunal, Principal Bench at New Delhi to take further action by following due process of law and file its Action Taken Report with requisite details. In its report the State PCB shall also mention as to whether any prosecution has been launched against the persons involved in running of the units illegally. The Action Taken Report be filed by the State PCB within two months.
3. The Applicant respectfully states and submits that the following important questions of law arise for consideration of this Hon'ble Tribunal in the instant application: -
  - a. Whether the Impugned Order passed by the Hon'ble National Green Tribunal is a violation of the Principles of Natural Justice?
  - b. Whether the Ld. NGT exercised its judicial powers, it could not have ignored the principles of natural justice, which, even under Section 19(1) of the NGT Act, it is bound to follow?
  - c. Whether the Impugned Order passed by the Hon'ble National Green Tribunal is against the spirit of Article 19 (1) (g) of Constitution of India?
  - d. Whether the action of Respondent State and its agencies is arbitrary, harsh, abuse of law and in blatant violation of Article-14 and Article - 21 of the Constitution of India?

4. The facts and circumstances relevant to the instant appeal are briefly stated herein below: -
- A. The applicant has been issued Labour Schemes Certificate vide Form 5A under EPFO 1952 and the same is herewith annexed and marked as ANNEXURE/A-2 at (Pages 19 to 21).
  - B. The applicant has obtained GST certificate vide 10CKVPK6530J1ZY and the same is herewith annexed and marked as ANNEXURE/A-3 at (Pg 22-23).
  - C. The Udyam Registration Certificate to run the Unit has been issued to the Appellant vide BR230018426 dated 21.02.2022 and the same is herewith annexed and marked as ANNEXURE/A-4 at (Pages 24 to 26).
  - D. The Respondent No. 2 has filed the O.A. No. 399 of 2022 before the Hon'ble National Green Tribunal, Principal Bench at New Delhi on 21.05.2022.
  - E. The Circle office served the notice to submit all the papers relating to ply mills to the Appellant dated 20.06.2022 and the same is herewith annexed and marked as ANNEXURE/A-5 at (Pg 27-28).
  - F. The Joint Committee has submitted the report to the Hon'ble National Green Tribunal.
  - G. That the Impugned Order dated 13.10.2022 passed by the Hon'ble National Green Tribunal, Principal Bench at New Delhi in Original Application No. 399 of 2022; whereby the State PCB is directed to take further action by following due process of law and file its Action Taken Report with requisite details. In its report the State PCB shall also mention as to whether any prosecution has been launched against the persons involved in running of the units illegally. Action Taken Report be filed by the State PCB within two months.
  - H. The Consent to Establish (NOC) dated 22.10.2022 for plant under Section 25 and 26 of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention and Control of

Pollution) Act, 1981 and the same is herewith annexed and marked ANNEXURE/A-6 at (Pages 29 to 31 ).

- I. The Hon'ble National Green Tribunal has constituted the Joint committee to enquire the plywood industries dated 08.07.2022 and the same copy of order is herewith annexed and marked as ANNEXURE/A-7 at (Pages 32 to 33).
  - J. That being aggrieved by the action of Respondents, the applicant has approached the Hon'ble Supreme Court of India vide Civil Appeal No. 1414 of 2023 dated 13.01.2023.
5. That this Hon'ble Tribunal ought to appreciate that the Order passed is in violation of *audi alteram partem* i.e the Principles of Natural Justice as the applicant has neither been heard nor allowed to represent his/her case and yet adverse order has been passed against the applicant herein.
  6. That this Hon'ble Tribunal while exercising its judicial powers ought not to have ignored the principles of natural justice, which, even under Section 19(1) of the NGT Act, it is bound to follow as under: -
 

**Section 19 in The National Green Tribunal Act, 2010 is as follows:**

*19 Procedure and powers of Tribunal. -*

*(1) The Tribunal shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (5 of 1908) but shall be guided by the principles of natural justice.*
  7. That the Hon'ble Apex Court in *Municipal Corporation of Greater Mumbai vs. Ankita Sinha and Others*; 2021 SCC OnLine SC 897 has observed that, " It must also be said that the exercise of suo motu jurisdiction does not mean eschewing with the principles of natural justice and fair play. In other words, the party likely to be affected should be afforded due opportunity to present their side, before suffering adverse orders."
  8. That this Hon'ble Tribunal has not appreciated that the passing such direction without hearing the Applicant herein violates the principal of natural justice. That the learned NGT erred in passing orders which

have vitally affected the rights of the citizens who were already granted provisional license/license and were operating in accordance with law. The order impugned is totally in breach of the principles of natural justice.

9. That in State of *U.P. v. Sudhir Kumar Singh and Others*; (2020) SCC Online SC 847, this Court has observed that as under:-

*"39. An analysis of the aforesaid judgments thus reveals:*

*(1) Natural justice is a flexible tool in the hands of the judiciary to reach out in fit cases to remedy injustice. The breach of the audi alteram partem rule cannot by itself, without more, lead to the conclusion that prejudice is thereby caused.*

*(Emphasis supplied)*

10. That the scope of judicial review has been succinctly explained by this court in the case of *Tata Cellular vs. Union of India*; (1994) 6 SCC 651, which has been consistently followed in a catena of cases. This Court, in the said case, observed thus:

*"77. The duty of the court is to confine itself to the question of legality. Its concern should be:*

- 1. Whether a decision-making authority exceeded its powers?*
- 2. Committed an error of law,*
- 3. committed a breach of the rules of natural justice,*
- 4. reached a decision which no reasonable tribunal would have reached*  
*or,*
- 5. abused its powers."*

*(Emphasis supplied)*

11. That applying the aforesaid principle to the present case, it could be said that the decision-making process has been vitiated either on account of illegality, irrationality or procedural impropriety.
12. That this Tribunal ought to appreciate that the Order passed has adversely effected the right to business guaranteed under the Article 19 (1) (g) of Constitution of India.

13. That the action of Respondent State and its agencies in demolishing and seizing the manufacturing units of the applicant herein without due notice and any opportunity to produce documents valid licenses etc. is arbitrary, harsh, abuse of law and in blatant violation of Article-14 and Article - 21 of the Constitution of India.
14. That it is a settled legal proposition that Article 14 of the Constitution strikes at arbitrariness because an action that is arbitrary, must necessarily involve negation of equality. This doctrine of arbitrariness is not restricted only to executive actions, but also applies to the legislature. Thus, a party has to satisfy that the action was reasonable, not done in unreasonable manner or capriciously or at pleasure without adequate determining principle, rational, and has been done according to reason or judgment, and certainly does not depend on the will alone. See *A.P. Dairy Development Corpn. Federation vs. B. Narasimha Reddy and others*; (2011) 9 SCC 286.
15. That under Article 21 Right to livelihood is an integral part of the Right to life. If one's Right to livelihood would be deprived, then it means that we are taking that person's Right to life. In *Narendra Kumar Chandla v. State of Haryana* the Supreme Court held that the Article 21 protected the Right to livelihood as an integral facet of Right to life. See *Narendra Kumar Chandla vs. State of Haryana and others* (1994) 4SCC460.
16. That the findings recorded or conclusions drawn are either contrary to the evidence or without there being any evidence in support thereof. The applicant who has been granted provisional license/license for plywood Industries from Bihar State Pollution Control Board and having other requisite license to operate, haven't been served notice from this Tribunal, from the Committee appointed by this Tribunal and as well from the law enforcement agency before sealing/demolishing the unit.
17. That the State Government decided to exempt 10 different categories of Wood Based Industries (WBIs). The requirement of raw material for

different categories of WBIs is different. It is submitted that this Tribunal has grossly erred in considering all categories of WBIs together and erred in passing the order against licenses granted to all of them.

18. That it is submitted that the original applicant before this Hon'ble Tribunal is not bona-fide litigant. That there are reasons to believe that the proceedings were initiated at the instance of letter written to this Tribunal in reference to settle local politics for not getting votes in election.
19. That before a litigant is permitted to knock the doors of justice and seek orders which have far reaching effects of affecting the employment of thousands of persons, stopping investment in the State, prejudicing the interests of the farmers; the credentials and bonafides of the applicants must be tested.
20. That the only distinction between the prohibited trees and non-prohibited trees is that the non-prohibited trees can be felled without permission, whereas prohibited trees can be felled only in certain circumstances and only after the requisite permission is granted.
21. That if the WBIs are permitted to run or regularized as per the guidelines, it would result in more farmers going in for Agro Forestry in the State, which, in turn, will increase the forest cover. It is submitted that said 150 units are likely to give employment to around 70000 (25 thousand women) people.
22. That it is necessary that, while protecting the environment, the need for sustainable development has also to be taken into consideration and a proper balance between the two has to be struck. That closing the manufacturing unit belonging to the applicant herein despite having valid license is an abuse of process of law and against the settled principles of sustainable development.
23. That this Hon'ble Court in *the State of Uttar Pradesh & Ors. Etc. Etc. vs. Uday Education and Welfare Trust and Anr. Etc. Etc. vide C.A. Nos. 2407-2412 of 2021*, observed that:

"101. (a) ....

(b) *In the case of Essar Oil Ltd. vs. Halar Utkarsh Samiti and others; (2004) 2 SCC 392, this Court discussed the need for a balance between the economic and social needs and development on the one hand and environment considerations on the other. It was observed that laws on environment should be to create harmony between the two since neither one can be sacrificed at the altar of the other. In this regard, the observations of this Court in the case of Indian Council for Enviro-Legal Action vs. Union of India and others; (1996) 5 SCC 281, were quoted as under:*

*"While economic development should not be allowed to take place at the cost of ecology or by causing widespread environment destruction and violation; at the same time, the necessity to preserve ecology and environment should not hamper economic and other developments. Both development and environment must go hand in hand, in other words, there should not be development at the cost of environment."*

(c) *In the case of Maharashtra Land Development Corporation and others vs. State of Maharashtra and another; (2011) 15 SCC 616, reference was made to Glanrock Estate Private Limited vs. State of Tamil Nadu; (2010) 10 SCC 96, wherein it was observed as under:*

*"27. .... Forests in India are an important part of the environment. They constitute [a] national asset. In various judgments of this Court delivered by the Forest Bench of this Court in T.N. Godavarman Thirumulpad v. Union of India (Writ Petition No. 202 of 1995), it has been held that 'intergenerational equity' is part of Article 21 of the Constitution.*

*28. What is intergenerational equity? The present generation is answerable to the next generation by giving to the next*

*generation a good environment. We are answerable to the next generation and if deforestation takes place rampantly then intergenerational equity would stand violated.*

*29. The doctrine of sustainable development also forms part of Article 21 of the Constitution. The 'precautionary principle' and the 'polluter pays principle' flow from the core value in Article 21.*

*30. The important point to be noted is that in this case we are concerned with vesting of forests in the State. When we talk about intergenerational equity and sustainable development, we are elevating an ordinary principle of equality to the level of overarching principle."*

24. That the Applicant has no other alternative remedy except to move this Hon'ble Tribunal by way of this Intervention Application.
25. That the Applicant is of the humble view that it should become a participant in the present petition so that its views are correctly put forward and so that a comprehensive decision can be arrived at by this Hon'ble Tribunal.
26. The Applicant submits that it should be added as a party in the present petition so as to ensure proper adjudication of the present matter.
27. This application is made bona fide and in the interest of justice.

#### PRAYER

In the circumstances set forth above, it is therefore, most respectfully prayed that your lordships may graciously be pleased to:

- a) This Hon'ble Tribunal may be pleased to allow the Applicant to intervene in the subject Original Application No. 112 of 2023; and
- b) Pass such other and further order(s) as may be deemed fit and proper in the circumstances

AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND  
SHALL EVER PRAY.

PLACE: NEW DELHI

FILED ON: 07.10.2023

FILED BY

*Bishwabandhu*  
BISHWABANDHU

Advocate for Applicant/Intervener

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BEFORE THE NATIONAL GREEN TRIBUNAL,  
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M/s Veena Veeneer

.....APPLICANT

(Proposed Intervener)

**AFFIDAVIT**

I, Virendra Prasad Kushwaha, Proprietor of M/s Veena Veeneer, At & PO Morsandi, Mathiya, P.S. Motipur, Dist. - Muzaffarpur, Bihar 843153, at New Delhi, do hereby state on solemn affirmation as under:

1. That I am the Proprietor of M/s Veena Veeneer in the abovenoted case and as such I am fully conversant with the facts and proceedings of the case.
2. That I have read and understood the contents of Para 1 to 27 of the accompanying Interlocutory Applications and I say that the facts stated therein are true and correct to my knowledge.
3. That I have read and understood the contents of the other Interlocutory Applications filed alongwith Civil Appeal and I say that the contents thereof are true and correct to my knowledge.



4. That the Annexures filed with the Interlocutory Applications are true and correct copies of the originals.

5. That I have not filed any other Interlocutory Applications in this Hon'ble Tribunal.

*Pishwabandhe*  
I Identify the deponent who has Signed/Put T.I. in my presence

*विजेता प्र. कुशवाहा*  
VEENA VEENEAR

DEPONENT Proprietor

**VERIFICATION:**

I, the deponent abovenamed, do hereby state on solemn affirmation that the contents of my above affidavit are true and correct to my knowledge and I believe the same to be true and that nothing material has been concealed therefrom.

06 OCT 2023

VERIFIED ON THIS THE 06<sup>th</sup> DAY OF OCTOBER, 2023 AT NEW DELHI

VEENA VEENEAR  
*विजेता प्र. कुशवाहा*  
DEPONENT Proprietor



*A.N. Singh*  
ATTESTED  
A.N. Singh, Adv.  
Notary Public  
Govt. of India, New Delhi

06 OCT 2023

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL NO.  
(CIVIL APPEAL Diary No.2076 OF 2023)

M/S VEENA VEENEAR

APPELLANT(S)

VERSUS

THE STATE OF BIHAR & ANR.

RESPONDENT(S)

O R D E R

Permission to file appeal is granted.

Delay condoned.

The appellant challenges the order passed by the National Green Tribunal (hereinafter referred to as 'NGT' for brevity). It is not in dispute that the appellant is not a party. In fact, this forms part of the complaint of the appellant that the order under which demolition of part of the appellant's factory has been carried out has been passed without notice being given to the appellant. We would think that the appellant should approach the NGT and place its grievances before the NGT. Accordingly, the appeal is disposed of.

The appellant is permitted to approach the NGT and place its

Signature valid  
Date: 16/23/2023  
Time: 16:23:41  
Reason:

grievance before the NGT.

We also leave it open to the appellant to approach this Court again against the order in case it becomes necessary.

.....J.  
[K. M. JOSEPH]

.....J.  
[B. V. NAGARATHNA]

New Delhi  
24th February, 2023

ITEM NO.19

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL DIARY NO(S). 2076/2023

(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 13-10-2022 IN  
OA NO. 399/2022 PASSED BY THE NATIONAL GREEN TRIBUNAL)

M/S VEENA VEENEAR

APPELLANT(S)

VERSUS

THE STATE OF BIHAR &amp; ANR.

RESPONDENT(S)

(IA No.34924/2023-CONDONATION OF DELAY IN FILING and IA No.34914/2023-  
EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA  
No.34913/2023-EX-PARTE STAY and IA No.34917/2023-EXEMPTION FROM FILING  
O.T. and IA No.34921/2023-PERMISSION TO PLACE ON RECORD SUBSEQUENT  
FACTS and IA No.34920/2023-APPLICATION FOR PERMISSION )

Date : 24-02-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.M. JOSEPH  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Ms. Qurratulain, AOR  
Mr. Bishwabandhu, Adv.  
Ms. Astha Deep, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Permission to file appeal is granted.

Delay condoned.

The appeal is disposed of in terms of the signed order.

Pending application(s), if any, stand disposed of.

(JAGDISH KUMAR)  
COURT MASTER (SH)

(RENU KAPOOR)  
ASSISTANT REGISTRAR

(Original signed order is placed on the file)

// TRUE COPY //  
*Bis*

EMPLOYEES' PROVIDENT FUND SCHEME 1952 (Please refer Para 36A)

EMPLOYEES' PENSION SCHEME 1995 (Please refer Para )

EMPLOYEES' DEPOSIT LINKED INSURANCE SCHEME 1976 (Please refer Para



(1st RETURN OF OWNERSHIP AFTER ONLINE APPLICATION FOR CODE NUMBER)

[THIS FORM 5A HAS BEEN GENERATED BY ONLINE FILLING/ UPDATION OF FORM 5A THROUGH ECR LOGIN OF EMPLOYER. APPLICATION NUMBER IS 10001017649.]

Code Number : BRMUZ2725506000

1. Name of Establishment : VEENA VEENEAR
2. Code Number of the Establishment under EPF Scheme : BRMUZ2725506000
3. Postal address of the Establishment and its branches : Mathia Morsandi, Mathiya, Morsandi, MUZAFFARPUR, BIHAR - 843111 [Please see Annexure I]
4. Industry or business in which engaged : PLYWOOD
5. Date of commencement of business : 25/06/2017
6. Date of closure by previous : N/A
7. Whether run by owner or lessee : Run by Owner
8. Particulars of owners :

S. No.	Name	Date of Birth	Status	Father's Name	Residential Address	Position Date
1	Mr. VIRENDRA PRASAD KUSHWAHA	05/08/1978	Owner	BADRI BHAGAT	MATHIA MORSANDI MATHIYA MORSANDI Muzaffarpur Bihar 843111	25/06/2017

9. In case on lease, particulars of lessee : N/A

S.No.	Name	Date of Birth	Father's Name	Residential Address	Position Date

10. If registered under Factories Act, particulars of Manager or : N/A

11. Particulars of persons mentioned above who are incharge and responsible for conduct of business of the

S. No.	Name	Date of Birth	Status	Father's Name	Residential Address	Position Date
1	Mr. VIRENDRA PRASAD KUSHWAHA	05/08/1978	Owner	BADRI BHAGAT	MATHIA MORSANDI MATHIYA MORSANDI Muzaffarpur Bihar 843111	25/06/2017

Date:

Signature of employer \_\_\_\_\_

Name of Employer \_\_\_\_\_

1.A 2/2023

## FORM No. 5A

EMPLOYEES' PROVIDENT FUND SCHEME 1952 (Please refer Para 36A)

EMPLOYEES' PENSION SCHEME 1995 (Please refer Para)

EMPLOYEES' DEPOSIT LINKED INSURANCE SCHEME 1976

(Please refer Para)

(1st RETURN OF OWNERSHIP AFTER ONLINE APPLICATION FOR CODE  
NUMBER)

[THIS FORM 5A HAS BEEN GENERATED BY ONLINE  
FILING/UPDATION OF FORM 5A THROUGH ECR LOGIN OF EMPLOYER  
APPLICATION NUMBER IS 10001017649]

Code number: BRMUZ2725506000

1. Name of Establishment: Veena Veeneer
2. Code Number of the Establishment under EPF Scheme:  
BRMUZ2725506000
3. Postal Address of the Establishment and its Branches: Mathia  
Morsandi, Mathiya Morsandi, Muzaffarpur, Bihar 843111 [Please see  
Annexure]
4. Industry or business in which engaged: Plywood
5. Date of commencement of business: 25.06.2017
6. Date of closure by previous: N/A
7. Whether run by owner or lessee : Run by owner
8. Particulars of owners:

S. N.	Name	Date of Birth	Status	Father's Name	Residential Address	Position date
1	Mr. Virendra Prasad Kushwaha	05/08 /1978	Owner	Badri Bhagat	Mathiya Morsandi, Mathiya Morsandi, Muzaffarpur, Bihar 843111	25/06/2007

9. In case on lease, particulars of lessee: N/A
10. if registered under Factories Act, particulars of Manager or: N/A
11. Particulars of persons mentioned above who are incharge and responsible for conduct of business of the

S. N.	Name	Date of Birth	Status	Father's Name	Residential Address	Position date
1	Mr. Virendra Prasad Kushwaha	05/08 /1978	Owner	Badri Bhagat	Mathiya Morsandi, Mathiya Morsandi, Muzaffarpur, Bihar 843111	25/06/ 2007

Date: nil

Signature of employer\_\_\_\_\_

Name of Employer\_\_\_\_\_

  
//TRUE COPY//



Government of India

Form GST REG-06

[See Rule 10(1)]

## Registration Certificate

Registration Number : 10CKVPK6530J1ZY

1.	Legal Name	VIRENDRA PRASAD KUSHAWAHA			
2.	Trade Name, if any	VEENA VEENEAR			
3.	Constitution of Business	Proprietorship			
4.	Address of Principal Place of Business	N/A, MORSANDI, MOTIPUR, Muzaffarpur, Bihar, 843153			
5.	Date of Liability	01/07/2017			
6.	Period of Validity	From	01/07/2017	To	NA
7.	Type of Registration	Regular			
8.	Particulars of Approving Authority				
Signature					
Name					
Designation					
Jurisdictional Office					
9.	Date of issue of Certificate	23/09/2017			
Note: The registration certificate is required to be prominently displayed at all places of business in the State.					

This is a system generated digitally signed Registration Certificate issued based on the deemed approval of the application for registration.

Government of India

Form GST REG-06

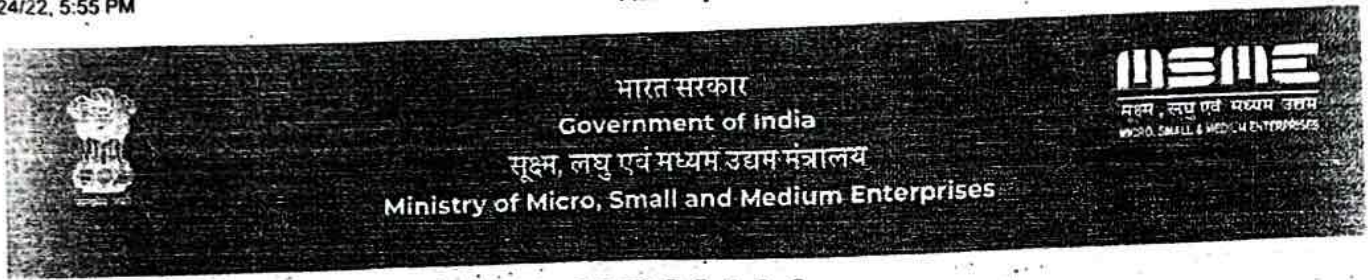
(See Rule 10(1))

**Registration Certificate**

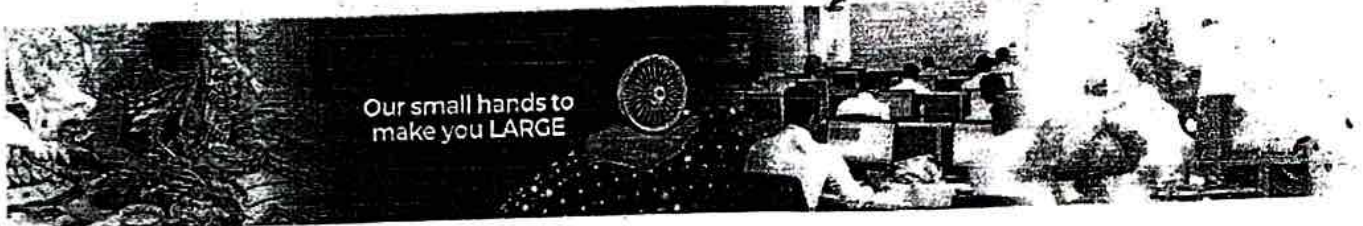
Registration Number: 10CKVPK6530J1ZY

1.	Legal Name	Virendra Prasad Kushawaha			
2.	Trade Name, if any	Veena Veeneer			
3.	Constitution of Business	Proprietorship			
4.	Address of Principal place of Business	N/A, Morsandi, Motipur, Muzaffarpur, Bihar 843153			
5.	Date of Liability	01/07/2017			
6.	Period of Validity	From	01/07/2017	To	N/A
7.	Type of Registration	Regular			
8.	Particulars of Approving Authority	Nil			
Signature					
Name		Nil			
Designation		Nil			
Jurisdictional Office		Nil			
Date of issue of Certificate		23.09.2017			
Note: The registration certificate is required to be prominently displayed at all places of business in the State					

*Bis*  
//TRUE COPY//



# UDYAM REGISTRATION CERTIFICATE



UDYAM REGISTRATION NUMBER
NAME OF ENTERPRISE
TYPE OF ENTERPRISE
MAJOR ACTIVITY

UDYAM-BR-23-0018426

VEENA VEENEAR

MICRO

MANUFACTURING

OBC

SOCIAL CATEGORY OF  
ENTREPRENEUR

NAME OF UNIT(S)

S.No.	Name of Unit(s)
1	VEENA VEENEAR

OFFICIAL ADDRESS OF ENTERPRISE

Flat/Door/Block No.	N/A	Name of Premises/ Building	N/A
Village/Town	MORSANDI	Block	MOTIPUR
Road/Street/Lane	MORSANDI	City	MOTIPUR
State	BIHAR	District	MUZAFFARPUR, Pin 843153
Mobile	9934861945	Email:	veenamf60@rediffmail.com

DATE OF INCORPORATION/  
REGISTRATION OF ENTERPRISE

23/04/2012

DATE OF COMMENCEMENT OF  
PRODUCTION/BUSINESS

23/04/2012

NATIONAL INDUSTRY  
CLASSIFICATION CODE(S)

S.No.	NIC 2 Digit	NIC 4 Digit	NIC 5 Digit	Activity
1	16 - Manufacture of wood and products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials	1621 - Manufacture of veneer sheets; manufacture of plywood, laminboard, particle board and other panels and board	16211 - Manufacture of ply wood and veneer sheets	Manufacturing

DATE OF UDYAM REGISTRATION

21/02/2022

\* In case of graduation (upward/reverse) of status of an enterprise, the benefit of the Government Schemes will be availed as per the provisions of Notification No. S.O. 2119(E) dated 26.06.2020 issued by the M/o MSME.

Disclaimer: This is computer generated statement, no signature required. Printed from <https://udyamregistration.gov.in> & Date of printing:- 24/02/2022

For any assistance, you may contact:

1. District Industries Centre: MUZAFFARPUR ( BIHAR )

2. MSME-DI: MUZAFFARPUR ( BIHAR )

Visit : [www.msme.gov.in](http://www.msme.gov.in) ; [www.dcmisr.org/india](http://www.dcmisr.org/india) ; [www.champion4.gov.in](http://www.champion4.gov.in)

**BE A  
CHAMPION**  
with the  
Ministry of  
**MSME**

Govt. of India  
Ministry of Micro, Small & Medium Enterprises  
**Udyam Registration Certificate**

Udyam Registration Number: UDYAM-BR-23-0018426  
Name of Enterprise: Veena Veeneer  
Type of Enterprise: Micro  
Nature of Activity: Manufacturing  
Social Category of Entrepreneur: OBC  
Name of Units: Veena Veeneer  
Official Address of Enterprise: Flat/Door/Block No. N/A, Name of Premises/Building N/A, Village/Town Morsandi, Block Motipur, Road/Street/Lane- Morsandi, City- Motipur, State Bihar, District Muzaffarpur, Pin- 843153, Mobile No. 9934861045,  
Email: veenamfp60@rediffmail.com  
Date of incorporation/Registration of Enterprise: 23/04/2012  
Date of commencement of production/Business: 23/04/2012

**National Industry Classification Code(s)**

NIC 2 Digit, 16- Manufacture of wood and products of wood and cork except furniture; manufacture of article of straw and plating materials

NIC 4 Digit, 1621- Manufacture of veneer sheets, manufacture of plywood, laminboard, particle board and other panels and board

NIC 5 Digit, 16211- Manufacture of ply wood and veneer sheets

**Activity type: Manufacturing**

**Date of Udyam Registration: 21/02/2022**

In case of graduation (upward/reverse) of status of an enterprise, the benefit of the Government Scheme will be availed as per the

previous of Notification No. S.O. 2119(E) dated 26.06.2020 issued by the M/o MSME

Disclaimer: this is computer generated statement, no signature required, printed from <https://udyamregistration.gov.in> & date of printing 24.02.2022

For any assistance, you may contact:

1. District Industry Centre: Muzaffarpur (Bihar)
2. MSMR-DI: Muzaffarpur (Bihar)

*Rishu*  
**//TRUE COPY//**

अंचल कार्यालय-मोतीपुरनोटिस

श्री - रामेश्वर प्रसाद सिंह पिता - लक्ष्मण प्रो. कुशवाहा  
 ग्राम - कब्जापुर हरौका  
 थाना - मोतीपुर

जिला पदाधिकारी मुजफ्फरपुर के आदेश पत्रांक-440 दिनांक-23/02/2022 एवं अनुमंडल पदाधिकारी, पश्चिमी, मुजफ्फरपुर के आदेश पत्रांक-278 दिनांक- 25/02/2022 के आलोक में अवैध रूप से संचालित आरा मिल/प्लाई मिल एवं विनीयर मिलों की जांच का आदेश प्राप्त हुआ है।

अतः आपके निदेश दिया जाता है कि अपने मिल से संबंधित अनुज्ञप्ति, प्रदुषण आदि कागजात के साथ दिनांक 27/06/22 को अधोहस्ताक्षरी के समक्ष उपस्थित हों। अन्यथा आपके विरुद्ध वरीय पदाधिकारी को संसूचित कर दिया जाएगा और कानूनी कार्रवाई प्रारंभ कर दी जाएगी।

इसे अत्यावश्यक समझें।



*[Handwritten Signature]*  
 अंचल अधिकारी  
 मोतीपुर।

// TRUE COPY //

## CIRCLE OFFICE - MOTIPUR

Notice

Shri Rameshwar Prasad Singh, S/o Laxman Prasad Kushwaha  
Village- Kalyanpur Harauna  
Police Station Motipur

The order to inspect the Ara Mills/Plywood Mills and Veneer Mill which are running/operating illegally in reference to the Order Letter No 440 dated 23.02.2022 of District Magistrate, Muzaffarpur and order letter no. 278 dated 25.02.2022 of Sub-Divisional Officer, West Muzaffarpur.

Therefore, you are requested to appear on 27.06.2022 before the undersigned with the documents related to license, NOC of Pollution and etc. Or else, action will be initiated against you and legal process would be initiated with information to senior officer.

Consider it Urgent.

Sd/-  
Circle Officer  
Motipur

**//ENGLISH TRANSLATION//**

*Bish*



617  
**BIHAR STATE POLLUTION CONTROL BOARD**

Industrial Estate, Bela, Muzaffarpur-842005

ANNEXURE-A/6 29

Ref. No.-

Muzaffarpur, dated-

**'CONSENT-TO-ESTABLISH' (NOC)**

**UNDER SECTIONS 25/26 OF THE WATER (PREVENATION AND CONTROL OF POLLUTION) ACT, 1974 AND 21 OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981**

**REFERENCE:**

- (i) Name and address of the Proponent: Sri Virendra Prasad Kushawaha, S/o-Late Badri Bhagat, M/s Veena Veeneer, At & P.O-Morsandi Mathiya, P.S-Motipur, Dist-Muzaffarpur; and
- (ii) Online application No. 6297295, dated 11.07.2022 of the proponent to establish a plywood unit on Khesra No/Plot No.- 4171, Khata No.- 38, Mauza- Morsandi, Mathia, P.O-Morsandi Mathia, P.S-Motipur, Dist-Muzaffarpur; for Capacity: 250 Number/day.

**AFTER CONSIDERING:**

- (i) The facts stated in their application;
- (ii) Bihar State Pollution Control Board's Notification No. 26 dated 08.11.2003;
- (iii) Provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981; and
- (iv) Inspection report dated 13.08.2022 for CTE submitted by the ASO, reply submitted dated: 12.09.2022 and deposited double fee of CTE.

**NOC IN FAVOUR OF THE PROPONENT AT THE SAID SITE IS HEREBY ACCORDED SUBJECT TO THE FOLLOWING CONDITIONS:**

- (i) That, the proponent shall obtain 'Consent-to-Operate' under Section 21 of the Air Act, 1981 prior to commissioning of the plant from Bihar State Pollution Control Board;
- (ii) That, height of stack attached with boiler shall be as prescribed under the Rules with adequate air pollution control facilities and flue gas sampling provisions;
- (iii) That, proper ventilation in working shed shall be provided to prevent from throat, nose, eye and skin irritation due to fugitive emission from formaldehyde adhesives used as bonding material;
- (iv) The other emission if any shall conform to the standards prescribed under The Rules;
- (v) They shall make effort to bring down the noise level due to diesel engine, pressing and sewing machines and also site these machines properly so as to meet required ambient noise level just outside the boundary;
- (vi) That, they shall obtain prior permission to abstract groundwater to use in industrial or domestic purposes (whatever be quantity of water) from competent authority (CGWA);
- (vii) That, in compliance of direction of the hon'ble supreme court and vide Board's HQ ref no.- 2638, dated 09.07.2019, they shall make provisions for display of data outside main factory gate about quantity and quality of water discharge and air emission along with solid waste generated within the factory premises;
- (viii) That, notwithstanding any thing stated above, the applicant unit shall abide by all the provisions of the environmental laws including policies and guidelines made there under;
- (ix) Tree plantation in three-meter width in vacant space of the unit shall be done and maintained; and
- (x) That, this CTE is granted on the basis of affidavit up-loaded by the applicant and it is subject to the condition that in the event of any information/documents submitted by the proponent are found false or misleading at any stage, the NOC granted, shall be revoked and legal action shall be initiated. If any serious objection is raised and found to be true as regard to siting of the above unit and pollution control measures then they (unit) shall have to close the unit forthwith and shift to a suitable location at proponent's risk and cost.

**NOTE:**

1. Bihar State Pollution Control Board reserves the option to revise or add other conditions, if necessary, for protection of Environment in general and for Pollution Control in particular;
2. The present NOC should not be construed as an assurance for the grant of 'Consent-to-Operate' the proposed plant but shall be subject to compliance of all the conditions indicated above;
3. The NOC, granted, shall be valid for a period of six months from the date of issue; and
4. Issued under the instructions of the Competent Authority.

Sd/-  
(Sain Kumar)  
Regional Officer

Memo No.: - 2167

Muzaffarpur, dated: - 22/10/2022

Copy forwarded to: Sri Virendra Prasad Kushawaha, S/o-Late Badri Bhagat, M/s Veena Veeneer, At & P.O-Morsandi Mathiya, P.S-Motipur, Dist-Muzaffarpur / MS, BSPCB, Patna for information and necessary action.

Sain Kumar  
(Sain Kumar) 22/10/22  
Regional Officer

**BIHAR STATE POLLUTION CONTROL BOARD**  
Industrial Estate, Bela, Muzaffarpur - 842005

**CONSENT-TO-ESTABLISH (NOC)**

UNDER SECTION 25/26 OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT 1947 AND 21 OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

**REFERENCE:**

- (i) Name and address of the Proponent: Sri Virendra Prasad Kushwaha, S/o Late Badri Bhagat, M/s Veena Veenaar, At & P.O. Morsandi, Mathiya, P.S. Motipur, Dist-Muzaffarpur; and
- (ii) Online application no. 6297295, dated 11.07.2022 of the proponent to establish a ply wood unit on Khesra No/Plot No. 4171, Khata No. 38, Mauza Morsandi Mathia, P.S. Motipur, Harauna, Dist-Muzaffarpur; for Capacity; 250 Numbers/day.

**AFTER CONSIDERING:**

- (i) The facts stated in their application;
- (ii) Bihar State Pollution Control Board's Notification No. 26 dated 08.11.2003
- (iii) Provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981; and
- (iv) Inspection report dated 13.08.2022 for CTE submitted by the ASO, reply submitted dated 12.09.2022 and deposited double fee for CTE.

**NOC IN FAVOUR OF THE PROPONENT AT THE SAID SITE IS HEREBY ACCORDED SUBJECT TO THE FOLLOWING CONDITIONS:**

- (i) That, the proponent shall obtain 'Consent-to-operate' under Section 21 of the Air Act, 1981 prior to commissioning of the plant from Bihar State pollution Control Board;
- (ii) That, height of stack attached with boiler shall be prescribed under the Rules with adequate air pollution control facilities and flue gas sampling provisions;
- (iii) That, proper ventilation in working shed shall be provided to prevent from throat, nose, eye and skin irritation due to fugitive emission from formaldehyde adhesives used as bonding material;
- (iv) The other emission if any shall conform to the standards prescribed under the Rules;
- (v) They shall make effort to bring down the noise level due to diesel engine, pressing and sewing machines and also site these machine properly so as to meet the require ambient noise level just outside the boundary;
- (vi) That, they shall obtain prior permission to abstract ground water to use industrial or domestic purposes (whatever be quality of water) from the component authority (CGWA);



ANNEXURE-A/7

Item No.5

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL****PRINCIPAL BENCH**

Original Application No. 399/2022

(By Video Conferencing)

Ram Ekbal Rai

Applicant

Versus

State of Bihar

Respondent

Date of hearing: 08.07.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI,  
JUDICIAL MEMBER****HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER****Application is registered based on a letter received by Post.****ORDER**

1. The grievances in this application sent by Mr. Ram Ekbal Rai resident of Village Bhatolia, Post Office Brahmpur Karman, Police Station Motipur, District Muzaffarpur, Bihar is that hundreds of veneer mills, saw mills and boiler based plywood factories are operating in the Villages of Motipur block of District Muzaffarpur causing serious environmental pollution and adversely impacting residents of the locality, livestock and agricultural produce.

2. In view of the averments made in the application, it would be appropriate to have a factual and action taken report in the matter. Accordingly, we constitute a Joint Committee comprising of Principal Chief Conservator of Forests, Government of Bihar, State PCB and District Magistrate, Muzaffarpur. The State PCB will be the Nodal agency for coordination and compliance.

3. The Joint Committee may meet within four weeks, undertake site visits, look into the grievances of the applicant, verify the factual position and take requisite action by following due process of law.

4. Factual and action taken report may be furnished within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List the matter for further consideration on 27.09.2022.

A copy of this order, along with a copy of the application, be forwarded to the Principal Chief Conservator of Forests, Government of Bihar, State PCB and District Magistrate, Muzaffarpur by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

July 8, 2022

Original Application No. 399/2022

AG

**//TRUE COPY//**

*Bist*

BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA

I.A. NO. \_\_\_\_\_ OF 2023

IN

O.A. NO. 112 OF 2023

IN THE MATTER OF:

Ram Ekbal Rai

....Applicant

Versus

The State of Bihar & Ors.

....Respondents

AND

IN THE MATTER OF:

M/s Veena Veeneer

....Intervener(s)/Applicant(s)

KNOW ALL to whom these present shall come that I/We Virendra Prasad Kushwaha, Proprietor of M/s Veena Veeneer, At & PO Morsandi, Mathiya, P.S. Motipur, Dist. – Muzaffarpur, Bihar 843153, do hereby appoint

Sh Bishwabandhu (D/250/2012):9971616269,

[Res. Off.: B-192, UGF, Gali No. 5, Umaputra Society, Sainik Nagar, New Delhi -110059]

(herein after called the advocate/s) to be my/our Advocates in the above noted case authorized them: -

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us.

To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 6th day of October, 2023.

Accepted subject to the terms of fees.

Identified signature of the Client

*Bishwabandhu*  
ADVOCATE



*VEENA VEENEER*  
19/10/23 30/10/23

CLIENT Proprietor